

10/527921

DT12000 PCT/PTO 16 MAR 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Int. Appln. No.: **PCT/EP2003/010334**)International Filing: **September 17, 2003**)Applicant(s): **Ziegler et al.**)Title: **ANTI-INFECTIOUS,  
BIOCOMPATIBLE  
TITANIUM OXIDE  
COATINGS FOR  
IMPLANTS, AND  
METHOD FOR THE  
PRODUCTION THEREOF**)Art Unit: **Not Yet Assigned**)Examiner: **Not Yet Assigned**)Attorney Docket No.: **85162**)Customer No.: **22242**)**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**"Express Mail" Mailing Label Number  
EV 447342264 USDate of Deposit **MAR 16 2005**)

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to the Mail Stop PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

*E. J. Peirce*  
(Typed or printed name of person mailing)*E. J. Peirce*  
(Signature of person mailing)**INFORMATION DISCLOSURE STATEMENT**

Mail Stop PCT  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, applicant and the undersigned attorney wish to bring the following information to the Examiner's attention in connection with the examination of the above-captioned application.

The documents are listed on PTO/SB/08a Substitute for Form 1449A/PTO which accompanies this Information Disclosure Statement. A copy of each foreign document cited thereon is enclosed herewith.

**U.S. PATENT DOCUMENTS**

Document Number	Publication Date	Name of Patentee or Applicant of Cited Document
Number-Kind Code <sup>2</sup>	MM-DD-YYYY	
US-4,954,476	09/04/1990	Hums
US-5,612,049 A	03/18/1997	Li et al.
US-5,855,612 A	01/05/1999	Ohthuki et al.

U.S. PATENT DOCUMENTS		
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Number-Kind Code <sup>2</sup>	MM-DD-YYYY	
US-6,017,553 A	01/25/2000	Burrell et al.
US-6,312,472 B1	11/06/2001	Hall et al.
US-6,313,064 B1	11/06/2001	Miyafuji et al.

FOREIGN PATENT DOCUMENTS		
Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document
Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup>	MM-DD-YYYY	
EP 0 222 717 A2	05/20/1987	The Institute for Applied Biotechnology
EP 0 409 810 A2	01/23/1991	Ellem Bioteknik AB
JP 0 9249981	09/22/1997	Nisshin Steel Co. Ltd.

#### REMARKS

Pursuant to 37 CFR § 1.97(e)(1), Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in the International Search Report dated March 25, 2004 issued in the International Application No. PCT/EP2003/010334.

Pursuant to 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

It is respectfully requested that the Examiner consider the above materials and make them of record in the above-captioned application.

The Commissioner is hereby authorized to charge any fees which may be required in this application under 37 C.F.R. § §1.16-1.17 to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Dated: 3/14/05

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	Not Yet Assigned <b>10/527921</b>
				Filing Date	Herewith
				First Named Inventor	Ziegler et al.
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
				Sheet	1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-4,954,476	09/04/1990	Hums	
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		US-6,312,472 B1	11/06/2001	Hall et al.	
		US-6,313,064 B1	11/06/2001	Miyafuji et al.	
		US-			

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		EP 0 409 810 A2	01/23/1991	Ellem Bioteknik AB	
		JP 09249981	09/22/1997	Nisshin Steel Co. Ltd.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.